

REMARKS

Applicant amends claims 1, 13 and 16 and adds new claims 21 and 22. Accordingly, claims 1,2, 5-22 are all the claims pending in the application. Claim 1 is amended with the features at least found on page 5, line 31 to page 6, line 12 of the specification. Claims 13 and 16 are amended to cure minor informalities.

Claim objections

Claim 16 is objected to because of a minor informality.

In view of the amendment to claim 16 submitted herewith this Amendment, Applicant respectfully requests the Examiner to withdraw the objection to the claim.

Claim rejections under 35 U.S.C. § 103(a)

Claims 1, 2, 5-10, 13, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer et al. (US Patent No. 6,766,364; hereinafter "Moyer") in view of McGuire (US Patent Publication No. 2002/0161888; hereinafter "McGuire").

Claims 11, 16, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view of McGuire in further view of Newton, Harry (Newton's Telecom Dictionary; hereinafter "Newton").

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view of McGuire in further view of Ballantine et al. (US Patent No. 6,446,123 B1; hereinafter "Ballantine").

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view of McGuire in further view of Abaye et al. (US Patent No. No. 7,024,475 B1; hereinafter "Abaye").

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view of McGuire in further view of Westfall et al. (US Patent No. 6,449,650; hereinafter "Westfall").

Applicant traverses the rejection for at least the following reasons.

Claim 1

In a non-limiting exemplary embodiment, technology rules are adapted or selected for a particular equipment type. This is because two network equipments can have different capacities, even if they are functionally identical. For instance, IF (equipment = TYPE1) THEN (tunneling technology=IPsec). This means that if the Type1 equipments cannot support the MPLS technology, then IPSec is the only option. In other words, technology rules at least in part are adapted and selected based on the actual equipment available on the network (e.g., page 5, line 31 to page 6, line 12 of the specification). It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claim mentioned above.

In view of the above, Applicant further amends claim 1 to recites "wherein the inferring means adapts the technology rules using the equipment rules based on an equipment type." Applicant respectfully submits that Moyer does not teach or suggest this feature of claim 1 for at least the following reasons.

Moyer is directed to end-to-end configuration management and configuration validation of customer premise networks to correctly enable new services being executed with these networks. Moyer discloses a configuration manager that obtains a service template that provides

generic end-to-end requirements for enabling the service upon request of a new service. Then, a configuration generator generates vendor-neutral device configuration settings from the service template and a service configuration validator module then validates the service. Finally, an adaptor module translates the vendor-neutral device configuration settings to vendor-specific device configurations and communicates these settings of the particular devices to enable the service (Abstract and column 2, lines 23-47). However, Moyer does not teach or suggest that “the inferring means adapts the technology rules using the equipment rules based on an equipment type.”

In particular, in column the Abstract and column 2, lines 23-47, Moyer discloses a configuration manager that obtains a service template that provides generic end-to-end requirements for enabling the service upon request of a new service. Then, a configuration generator generates vendor-neutral device configuration settings from the service template and a service configuration validator module then validates the service. Finally, an adaptor module translates the vendor-neutral device configuration settings to vendor-specific device configurations settings (using device templates) and communicates these settings of the particular devices to enable the service. According to Moyer, the adaptor module translates the vendor-neutral device configuration settings generated using service template to vendor-specific device configuration settings. However, there is no teaching or suggestion that the inferring means adapts the technology rules using the equipment rules based on an equipment type.

Specifically, Moyer discloses that the device template (allegedly corresponding to technology rules) provides the capabilities of a particular device and how to configure the

particular device (column 3, line 67 to column 4, line 2). This, however, does not teach or remotely suggest an inferring means that adapts the device template (allegedly corresponding to technology rules) using device template (allegedly corresponding to the equipment rules)¹ based on the equipment type.

Furthermore, claim 1 recites, *inter alia*, “wherein said implementation rules for implementing the service comprise technology rules and equipment rules” and “wherein the technology rules determine technology to use in the implementation of the service based on attributes of the service and equipment in the network.” The Examiner contends that abstract, column 2, lines 23-47, column 3, lines 50-67 and column 4, lines 1-26 allegedly disclose these features of claim 1. See page 3 of the Final Office Action dated March 22, 2010. Applicant disagrees with the Examiner for at least the following reason.

On page 3, section 6, lines 7-10 of the Office Action dated March 22, 2010, the Examiner alleges that service template 220 corresponds to the claimed implementation rules and device template 222 corresponds to both the claimed technology rules and equipment rules. Applicant disagrees with the Examiner’s mapping of the claimed elements and the characterization of Moyer for at least the following reasons.

First, Applicant submits that according to claim 1, the implementation rules comprise technology rules and equipment rules. Moyer discloses that service templates provide vendor neutral end-to-end requirements for enabling a particular service within a customer premise and

¹ See page 3, section 6, lines 10-12 of the Office Action where the Examiner asserts that device template 222 corresponds to both the claimed technology rules and equipment rules

a device template provides the capabilities of a particular device and how to configure the particular device (column 2, line 60-column 4, line 2). However, Moyer does not teach or suggest that the service template (allegedly corresponding to the implementation rules) comprises the device template (allegedly corresponding to the technology and equipment rules). In fact, according to Moyer, service templates and device templates are separate from each other (See FIG. 3 of Moyer). For instance, FIG. 3 of Moyer discloses service template 220 being part of the service database 204 and device template 222 being part of device database 206. However, Moyer does not teach or suggest that the service template comprises device template.

Second, Applicant respectfully disagrees with the Examiner's assertion that "the device template of Moyer performs the function of both the technology rules and equipment rules." In column 3, line 67 to column 4, line 2, Moyer discloses that a device template provides the capabilities of a particular device and how to configure the particular device. Therefore, the device template at most provides the capabilities and how to configure the device. However, there is no teaching or suggestion of technology rules as recited in claim 1. More importantly, the claimed invention recites two sets of rules, one relating to the determination of the technology (based on the environment) and another relating to the equipments. As shown above, Moyer at most discloses only a device template corresponding to a particular device, and is completely silent about rules relating to the technology. Therefore, the device template cannot function as both the technology rule and equipment rule as recited in claim 1.

Third, Applicant respectfully submits that Moyer does not teach or suggest that the technology rules determine technology to use in the implementation of the service based on

attributes of the service and equipment in the network. In the cited portions of the reference, Moyer discloses a configuration manager that obtains a service template that provides generic end-to-end requirements for enabling the service upon request of a new service. Then, a configuration generator generates vendor-neutral device configuration settings from the service template and a service configuration validator module then validates the service. Finally, an adaptor module translates the vendor-neutral device configuration settings to vendor-specific device configures settings (using device templates) and communicates these setting of the particular devices to enable the service (Abstract and column 2, lines 23-47). According to Moyer, the adaptor module translates the vendor-neutral device configuration settings generated using service template to vendor-specific device configures settings. However, there is no teaching or suggestion that the technology rules determine technology to use based on the equipment in the network.

Specifically, Moyer discloses that the device template (allegedly corresponding to technology rules) provides the capabilities of a particular device and how to configure the particular device (column 3, line 67 to column 4, line 2). This, however, does not teach or remotely suggest that the device template (allegedly corresponding to technology rules) determining which technology to use based on the equipment in the network.

McGuire does not teach or suggest the above discussed features of claim 1.

In view of the above, Applicant respectfully submits that claim 1 is patentable over the cited combination of references.

Claims 2, 5-10, 13, 18 and 19

Applicant respectfully submits that dependent claims 2, 5-10, 13, 18 and 19 are allowable at least by virtue of their dependency and the additional features recited therein.

With regard to claim 13, Applicant respectfully submits that Moyer does not teach or suggest the features of “the equipment rules are used to model how the technology rules must be selected for a particular equipment type.” In rejecting these features, the Examiner asserts that the Abstract and column 3, line 65-column 4, line 2 of Moyer allegedly disclose them. Applicant respectfully disagrees with the Examiner for at least the following reasons.

As discussed above with regard to claim 1, Moyer discloses that the device template provides the capabilities of a particular device and how to configure the particular device (column 3, line 67 to column 4, line 2). However, this does not teach or suggest that the device template (allegedly corresponding to equipment rules) are used to model how the device template (allegedly corresponding to the technology rules) must be selected for a particular equipment type. In fact, such a proposal would be illogical.

Claim 11-12, 14-17, and 20

Applicant respectfully submits that since Newton, Ballantine, Abaye and Westfall do not cure the deficiencies discussed above regarding claim 1 and since claims 11-12, 14-17, and 20 depend from claim 1, these claims are allowable at least by virtue of their dependency and the additional features recited therein.

New claims

Applicants submit that claims 21 and 22 depend from claim 1, and therefore are allowable at least by virtue of their dependency and the additional features recited therein.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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